



Federal Communications Commission
Washington, D.C. 20554
SEP 08 1995

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

DOCKET FILE COPY DUPLICATE

9503338

Honorable Kay Bailey Hutchison
United States Senator
10440 N. Central Expressway
Suite 1160, LB 606
Dallas, Texas 75231

DOCKET FILE COPY ORIGINAL

RM 8648

Dear Senator Hutchison:

Thank you for your letter of July 27, 1995, on behalf of your constituent, Mr. David K. Merriman, regarding Apple Computer, Inc.'s ("Apple") petition for rulemaking which requests an allocation of spectrum to provide unlicensed communications services. Mr. Merriman expresses support for Apple's proposal. I would like to take this opportunity to give you a status report on this proposal and a related rulemaking.

On May 15, 1995, the Wireless Information Networks Forum ("WINForum") filed a Petition for Rulemaking (RM-8648), requesting that 250 megahertz of spectrum at 5.1 - 5.35 GHz be allocated for a new high-speed, high-bandwidth, unlicensed radio service, or Shared Unlicensed PErsonal Radio Network ("SUPERNet"). According to WINForum, SUPERNet is designed to allow wireless access to the full range of data communications capabilities now being deployed in landline networks to support multimedia and other resource-intensive applications.

On May 24, 1995, Apple filed a Petition for Rulemaking (RM-8653), requesting that 300 megahertz of spectrum at 5.15 - 5.30 GHz and 5.725 - 5.875 GHz be allocated for a new high-speed, high-bandwidth, unlicensed radio service. Apple contends that this allocation ("the NII Band") would promote full development of a National Information Infrastructure by making possible high-bandwidth access and interaction throughout a limited geographic area, where mobility is key, and by providing as well for a wireless element of "community networks" serving a larger area.

Honorable Kay Bailey Hutchison

2.

Please note that we have placed your correspondence in the docket for the Apple and WINForum petitions (RM-8653 and RM-8648) and assure you that your constituent's letter will be considered before the Commission makes a determination in this proceeding. Thank you for your interest in this matter. If we can be of further assistance, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, reading "Richard M. Smith". The signature is written in a cursive style with a large, prominent "R" and "S".

Richard M. Smith

Chief

Office of Engineering and Technology

KAY BAILEY HUTCHISON
TEXAS

United States Senate

WASHINGTON, DC 20510-4304

July 27, 1995

COMMITTEES:
ARMED SERVICES
SMALL BUSINESS
COMMERCE, SCIENCE,
AND TRANSPORTATION

*CCB
Hutchinson
RM 8653
3338*

RESPECTFULLY REFERRED TO:

Legislative Affairs Director
Federal Communications Commission
Room 857, 1919 M. Street, NW
Washington, D.C. 20554

The attached communication was forwarded to me by a constituent who is concerned about a matter that falls within your agency's jurisdiction. I would appreciate it if appropriate inquiries could be initiated on this individual's behalf, and if a full response could be prepared for me to report to my constituent.

It would be very helpful if the attached were to accompany your response. In the event you require more information, please do not hesitate to contact my Director of Constituent Services, Mary Fae Kamm, in Dallas at 214-361-3500.

Thank you for your courtesy.

By direction of:

KAY BAILEY HUTCHISON

PLEASE REPLY TO:

Office of Senator Kay Bailey Hutchison
Attention: Mary Fae Kamm
10440 N. Central Expressway, Suite 1160
LB 606
Dallas, Texas 75231

Enclosure

Author: "David K. Merriman" <merriman@arn.net> at Internet
Date: 7/5/95 11:23 AM
Priority: Normal
TO: senator at Hutchison-DC
TO: barton06@hr.house.gov at Internet
TO: doggett@hr.house.gov at Internet
TO: frost@hr.house.gov at Internet
TO: ggreen@hr.house.gov at Internet
TO: samtx03@hr.house.gov at Internet
TO: cwilson@hr.house.gov at Internet
Subject: RM-8653

Buck to
F.C.C.

----- Message Contents -----

Received: by ccmil from mailhost.senate.gov
From @gateway.senate.gov:merriman@arnet.arn.net
X-Envelope-From: @gateway.senate.gov:merriman@arnet.arn.net
Received: from gateway.senate.gov by mailhost.senate.gov id aa00958;
5 Jul 95 8:52 EDT
Received: by gateway.senate.gov (5.65/fma-100391);
id AA17192; Wed, 5 Jul 95 09:05:08 -0400
Received: from arnetpc-198.arn.net (arnetpc-198.arn.net [204.177.232.198]) by
arnet.arn.net (8.6.10/8.6.9) with SMTP id IAA12248; Wed, 5 Jul 1995 08:31:06
-0500
Message-Id: <199507051331.IAA12248@arnet.arn.net>
X-Sender: merriman@arnet.arn.net
X-Mailer: Windows Eudora Version 1.4.4
Mime-Version: 1.0
Content-Type: text/plain; charset="us-ascii"
Date: Wed, 05 Jul 1995 08:11:00 -0500
To: barton06@hr.house.gov, doggett@hr.house.gov, frost@hr.house.gov,
ggreen@hr.house.gov, samtx03@hr.house.gov, cwilson@hr.house.gov,
senator@hutchison.senate.gov
From: "David K. Merriman" <merriman@arn.net>
Subject: RM-8653

I am writing in regards to a proposal currently before the FCC.

This proposal, made by Apple Computer company, seeks to ensure that a
segment of the public airwaves remain - incredible as this sounds -
public. The specific proposal that I am referring to is RM-8653.

I would *strongly* encourage you to exercise any input that you might have
with the FCC to approve this proposal. There are, currently, a number of
commercial interests seeking to dissuade the FCC from approving Apple's
petition; it would be entirely appropriate for these interests to be denied
in the interest of the *real* public.

I realize that I may not be from your specific Congressional district, but
this is a matter that transcends arbitrary geo-political boundaries.

Thank you for your time, and (hopefully) assistance

Sincerely,

David K. Merriman

David Merriman
1017 S. Pryor
Amarillo, TX 79104

Scdomize_Exon_AND_Feinstein_with_sandpaper_condoms_sig: